

CITY OF HOLLISTER - AGENDA

for **City Council Meeting**

of **April 17, 2006** at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call: Mayor Robert Scattini, City Council Members Doug Emerson, Pauline Valdivia, Brad Pike, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

Presentation: Certificate of Valor/Cole Award to Sergeant James Egan

6:00 p.m. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed)
2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed)
3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number HO29296
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union, Local 3395; Hollister Peace Officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.
5. City Manager Evaluation
6. Threat to Public Safety

6:30 p.m. - AGENDA

A. CONSENT RESOLUTION (April 17, 2006):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3, and A4 .

A1. Minutes of the City Council Meeting of April 3, 2006.

Approve Minutes of the City Council Meeting of April 3, 2006, as submitted.

A2. Warrant Register(s).

The City Council will ratify and approve the following Warrant Register(s) for the General-Special-Enterprise-Assessment Funds dated:

- March 29, 2006, in the amount of \$ 449,493.90.

A3. Claim Against the City – Gomez

A claim against the City has been filed by Karina N. Gomez. Staff recommends denial of this claim and seeks authorization to send the Notice of Rejection to the claimant.

A4. Resolution No. 2006-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DECLARING THE CONDITION OF CERTAIN PROPERTIES TO CONSTITUTE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF WEEDS THEREON, AND NOTICING A HEARING FOR THE RECEIPT OF OBJECTIONS TO THE PROPOSED ABATEMENT.

This resolution will initiate the 2006 Weed Abatement Program.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or After 6:30 p.m.)

1. Resolution No. 2006-43, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE ACCEPTANCE OF A JUSTICE ASSISTANCE GRANT, APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HOLLISTER AND THE COUNTY OF SAN BENITO, AND AUGMENTATION OF THE POLICE DEPARTMENT BUDGET.

CONDUCT PUBLIC MEETING

This resolution will approve a Memorandum of Understanding between the City of Hollister and the County of San Benito accepting a Justice Assistance Grant in the amount of \$11,788.

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Resolution No. 2006-44, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING A TRAVEL AND EXPENSE REIMBURSEMENT POLICY IN ACCORDANCE WITH AB 1234.

This Resolution will approve a travel and expense reimbursement policy for members of the City Council and city board and commissions whose members are compensated for services or reimbursed for expenses.

2. Resolution No. 2006-45, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A PROGRAM MANAGER SERVICE CONTRACT WITH CH2M HILL FOR THE WASTEWATER TREATMENT PROGRAM.

This Resolution will approve a contract a Program Manager Service contract with CH2M Hill for the wastewater treatment program.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Water and Wastewater Issues.

The City Council will receive an oral report from City Manager Quilter.

4. Hollister Municipal Airport status report.

The City Council will receive a status report on the Hollister Municipal Airport from Airport Manager Gere.

5. Large Residential Family Day Care Approval Process Report

City Council to direct staff to amend current ordinance and require a Minor Use Permit for large residential family day care providers.

6. Cancelled Motorcycle Rally Contingency Plan

The City Council will receive an oral report on a Contingency Plan for the cancelled motorcycle rally.

F. UNFINISHED BUSINESS:

None.

G. NEW BUSINESS:

None.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for May 1, 2006, at 6:30 p.m.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].